In the High Court of Judicature at Madras

Dated: 06.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM

and

The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.6472 of 2006
and WPMP.No.6981 of 2006

1. Mrs.Rafiqua Asroph Ali
2. Minor Riyasudeen
3. Minor Sirasudeen
4. Mr.Nirmal Gadhiya
(Petitioners 2 and 3 rep.by mother and next friend 1st petitioner) ..Petitioners

..vs..

1. The State of Tamil Nadu,
rep.by its Secretary to Government,
Housing & Urban Development Dept.,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai-600 008. ..Respondents

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Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration, to declare that the provisions contained in B 111 of Rule 19 of Development Control Rules to Tamil Nadu Town & Country Planning Act are ultravires, unconstitutional, arbitrary and colourable exercise of power and forbearing the 2nd respondent from insisting on the payment of security deposit for putting up any construction which are not recognised in law.

https://hcservices.ecourts.gov.in/hcservices/

For Petitioners : Mr.S.Sundaresan

For Respondents : Mr.K.Elango, Spl.G.P., for R1
Mr.J.Ravindran for R2 for CMDA.

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

Learned counsel appearing for the petitioners submits that in view of the earlier direction and compliance of the same by the petitioners, as on date, nothing survives for adjudication. The above statement is hereby accorded. Accordingly, the writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1. The Secretary to Government,
Housing & Urban Development Dept.,
Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Chennai-600 008.

+ 1 CC to the Government Pleader SR NO 60280

Writ Petition No.6472 of 2006

MJ[CO]
Gp/15.12.

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